

REMARKS

Applicants have canceled Claims 16 and 19 in view of the restriction requirement discussed below but have retained all other claims.

Restriction Requirement under 35 U.S.C. 121

The Office Action requires restriction to one of the following groups:

- Group I: Claims 11-15 and 17, drawn to a composition or compound of formula (I)
- Group II: Claims 16 and 19, drawn to a process for preparing compounds of formula (I)
- Group III: Claim 18, drawn to a method of controlling unwanted microorganisms by applying an effective amount of a compound\ of formula (I)

Applicants elect Group I with traverse with respect to Group III but without traverse with respect to Group II.

The Office Action also requires an election of a single disclosed species from the elected group for the purpose of initial examination. Applicants elect the species represented by the compound of Example 5 (shown in Table 1 at page 41), upon which all claims except Claims 13 and 14 are readable. This election is without traverse to the extent that it is understood that (a) the restriction requirement will be withdrawn upon the finding of an allowable genus and (b) any species withdrawn from consideration will be transferred to the elected subject matter unless it is found patentably distinct from the elected or allowed claims.

When considering possible expansion of the examination beyond the elected species, Applicants call particular attention to Claim 15, which limits group A to the radical of formula (A1). Furthermore, the test data presented in Applicants' Use Examples indicate that such compounds exhibit sufficiently similar protective effects in a variety of tests that all of the embodiments of Claim 11 in which group A is (A1) are sufficiently closely related for consideration together. See Table A (Examples 6, 7, and 14), Table B (Examples 6, 7, 12, and 14), Table C (Examples 6, 7, 12, and 14), Table D (Examples 7, 12, 13, and 14), and Table E (Examples 7 and 12), with reference to the formulas in Table 1 at page 42. Because all of the claimed subject matter of Claim 11 shares a common core structure (i.e., everything in formula (I) to which group A is attached) and because other embodiments within Claim 11 (in particular, compounds in which group A is A2, A3, A4, A5, A8, and A10) exhibit

similarly effective protective effects in a variety of tests, Applicants also submit that examination can reasonably be expanded to all of their pending claims.

In view of the preceding amendments and remarks, allowance of the claims is respectfully requested.

Respectfully submitted,

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